

## APPENDIX G

# CITY OF CHASKA RESOLUTION FOR THE WEST CREEK TAP LINE CONDITIONAL USE PERMIT

**CITY OF CHASKA  
CARVER COUNTY, MINNESOTA**

**RESOLUTION**

**DATE** MAY 21, 2012 **RESOLUTION NO.** 12-23

**MOTION BY COUNCILMEMBER** MILLARD **SECOND BY COUNCILMEMBER** FORD

**Resolution approving the adoption of the Environmental Assessment (EA) for the proposed Xcel Energy tap line from County Road 11 to the West Creek Substation / P.C. No. 12-02/ Xcel Energy & The City of Chaska**

WHEREAS, Xcel Energy has elected to follow the local permit review process set forth in Minn. Stat. §216E.05; Minn. R. 7850.5300 to permit the proposed transmission line and associated facilities; and

WHEREAS, this line will connect the transmission line on County Road 11 to the West Creek Substation; and

WHEREAS, this process provides that applicants for applicable projects may seek approval from the local unit of government (LGU) that has jurisdiction over the site or route (i.e., the City of Chaska) in lieu of applying to the Minnesota Public Utilities Commission (PUC) for a Route Permit; and

WHEREAS, in addition to noticing requirements, the local review process requires the City to prepare an environmental assessment (EA) on the project and afford the public an opportunity to participate in the development of the scope of the EA; and

WHEREAS, the EA addresses potential impacts on the human and natural environment and discuss any mitigation measures necessary to minimize or avoid project impacts; and

WHEREAS, on February 6, 2012, the City sent notice of the project to surrounding landowners, including a comment form to provide comments on the scope of the EA, and an invitation to a public information open house; and

WHEREAS, on February 16, 2012, the City of Chaska and Xcel Energy held an open house at Chaska City Hall to provide the public an opportunity to learn about the project, ask questions, and provide comments on the scope of the EA and no one from the public attended the open house; and

WHEREAS, one public comment was received via email regarding the siting of the West Creek Substation, which has been incorporated into the EA document as Appendix B; and

WHEREAS, per Statute, availability of the final EA was noticed in the Environmental Quality Board *Monitor* for a minimum of 10 working days before the City could make a final decision on the Conditional Use Permit application, as proposed this evening; and

WHEREAS, the City of Chaska is constructing a new electrical substation (West Creek Substation) to serve 50 megawatts (MW) of electric load, including 20 MW to serve the West Creek Corporate Center currently under construction, and 30 MW to serve three additional distribution feeders for the electric needs on the west side of Chaska; and

WHEREAS, in order to provide electric service from the City's substation, a new transmission tap line is required between the substation and the existing Great River Energy (GRE) transmission line located along County Road 11 (aka Guernsey Avenue); and

WHEREAS, Xcel Energy proposes to construct an approximately 0.5-mile long, single circuit, 115 kilovolt (kV) transmission tap line and associated facilities; and

WHEREAS, the proposed transmission tap line route will extend from the west side of the City of Chaska's West Creek Substation and run approximately 80 feet south of, and parallel to, an existing 230 kV transmission line for approximately 0.4 miles, then south adjacent to County Road 11 (Guernsey Avenue) on private property for approximately 0.1 mile; and

WHEREAS, from that point, the tap line will cross County Road 11 and connect to a new switch structure on GRE's transmission line on the west side of County Road 11; and

WHEREAS, the proposed transmission tap line will be designed using single pole, horizontal or braced post structures composed of galvanized or weathering steel; and

WHEREAS, the poles will be approximately 60-90 feet high with a span length of approximately 300-400 feet; and

WHEREAS, tangent structures will be directly embedded into the ground and angle/dead-end structures will be constructed using 6 to 8-foot diameter concrete pier foundations; and

WHEREAS, approximately nine (9) tangent structures and two (2) angle/dead-end structures will be installed to suspend the wires (conductors) overhead; and

WHEREAS, the proposed 69/115 kV transmission line will be operated at 69 kV in the short term, but will be built capable of operating at 115 kV in the future (likely by mid-2013) to meet the long-term needs of the West Creek Corporate Substation and the area's electric service load; and

WHEREAS, a Right-of-Way width of up to 75 feet will be required for the construction of the transmission line (i.e., 37.5 feet on either side of the centerline of the transmission line route); and

WHEREAS, according to the applicant, tree removal and vegetation clearing will occur within the Right-of-Way along the transmission line route prior to construction, and the clearing will be maintained following construction as necessary to meet operation and safety standards; and

WHEREAS, the need to acquire new Right-of-Way will be minimized by the partial co-location of the proposed 69/115 kV transmission line with the existing 230 kV transmission line corridor in the area; and

WHEREAS, at their May 9, 2012, meeting, the Planning Commission recommended approval of the Environmental Assessment for the proposed Xcel Energy tap line from County Road 11 to the West Creek Substation, subject to various conditions as found in the minutes of that meeting; and

WHEREAS, in relation to the Environmental Assessment for the proposed Xcel Energy tap line from County Road 11 to the West Creek Substation, the Chaska City Council does hereby adopt the following Findings of Fact:

1. The proposed tap line is needed to fulfill the electric needs of the residents and businesses of the City of Chaska.
2. The new transmission tap line will be located adjacent and parallel to an existing transmission line corridor, and therefore, permanent impacts to the environment are expected to be minimal.
3. The noise levels produced by a 115 kV transmission line are generally less than outdoor background levels and are therefore not usually audible.
4. The nearest residential structures are located over 400 feet from the proposed transmission line route and therefore, any potential negative aesthetic impacts to adjacent property owners will be minimal.
5. Due to the existing GRE transmission line that parallels either side of Guernsey Avenue, the transmission tap line will not result in a significant change to the visual character of the area.
6. The proposed project will have limited impact on local roads, as temporary road closures or lane restrictions will be minimal and are not currently anticipated.
7. As transmission lines themselves do not appreciably affect air quality, there will be no permanent environmental impacts to air quality from the operation of the transmission tap line.
8. The project will be designed and constructed in compliance with all applicable industry and Xcel Energy standards regarding clearance to ground, clearance to crossing utilities, clearance to buildings, strength of materials, and right-of-way widths.
9. The project will not adversely affect the four archaeological sites and twenty-two inventoried historic architectural properties located within one mile of the project area because none of the twenty-six identified cultural resource sites are located within the project corridor.
10. In addition to any terms or conditions required by the DNR license, Xcel Energy will avoid permanent impacts to the Chaska Creek drainage by spanning the creek to avoid placing structures in the creek channel.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Chaska, Minnesota, does hereby adopt Resolution #12-23, approving the adoption of the Environmental Assessment (EA) for the proposed Xcel Energy tap line from County Road 11 to the West Creek Substation.

Passed and adopted by the City Council of the City of Chaska, Minnesota, this 21<sup>st</sup> day of May, 2012.

  
Mark Windschitl, Mayor

Attest:   
Chaska Deputy Clerk

**CITY OF CHASKA  
CARVER COUNTY, MINNESOTA**

**RESOLUTION**

**DATE** MAY 21, 2012 **RESOLUTION NO.** 12-24

**MOTION BY COUNCILMEMBER** MILLARD **SECOND BY COUNCILMEMBER** FORD

**Resolution approving the Conditional Use Permit for the proposed Xcel Energy tap line from County Road 11 to the West Creek Substation / P.C. No. 12-02/ Xcel Energy & the City of Chaska**

WHEREAS, Xcel Energy has elected to follow the local permit review process set forth in Minn. Stat. §216E.05; Minn. R. 7850.5300 to permit the proposed transmission line and associated facilities; and

WHEREAS, this line will connect the transmission line on County Road 11 to the West Creek Substation; and

WHEREAS, this process provides that applicants for applicable projects may seek approval from the local unit of government (LGU) that has jurisdiction over the site or route (i.e., the City of Chaska) in lieu of applying to the Minnesota Public Utilities Commission (PUC) for a Route Permit; and

WHEREAS, in addition to noticing requirements, the local review process requires the City to prepare an environmental assessment (EA) on the project and afford the public an opportunity to participate in the development of the scope of the EA; and

WHEREAS, the EA addresses potential impacts on the human and natural environment and discuss any mitigation measures necessary to minimize or avoid project impacts; and

WHEREAS, on February 6, 2012, the City sent notice of the project to surrounding landowners, including a comment form to provide comments on the scope of the EA, and an invitation to a public information open house; and

WHEREAS, on February 16, 2012, the City of Chaska and Xcel Energy held an open house at Chaska City Hall to provide the public an opportunity to learn about the project, ask questions, and provide comments on the scope of the EA and no one from the public attended the open house; and

WHEREAS, one public comment was received via email regarding the siting of the West Creek Substation, which has been incorporated into the EA document as Appendix B; and

WHEREAS, per Statute, availability of the final EA was noticed in the Environmental Quality Board *Monitor* for a minimum of 10 working days before the City could make a final decision on the Conditional Use Permit application, as proposed this evening; and

WHEREAS, the City of Chaska is constructing a new electrical substation (West Creek Substation) to serve 50 megawatts (MW) of electric load, including 20 MW to serve the West Creek Corporate Center currently under construction, and 30 MW to serve three additional distribution feeders for the electric needs on the west side of Chaska; and

WHEREAS, in order to provide electric service from the City's substation, a new transmission tap line is required between the substation and the existing Great River Energy (GRE) transmission line located along County Road 11 (aka Guernsey Avenue); and

WHEREAS, Xcel Energy proposes to construct an approximately 0.5-mile long, single circuit, 115 kilovolt (kV) transmission tap line and associated facilities; and

WHEREAS, the proposed transmission tap line route will extend from the west side of the City of Chaska's West Creek Substation and run approximately 80 feet south of, and parallel to, an existing 230 kV transmission line for approximately 0.4 miles, then south adjacent to County Road 11 (Guernsey Avenue) on private property for approximately 0.1 mile; and

WHEREAS, from that point, the tap line will cross County Road 11 and connect to a new switch structure on GRE's transmission line on the west side of County Road 11; and

WHEREAS, the proposed transmission tap line will be designed using single pole, horizontal or braced post structures composed of galvanized or weathering steel; and

WHEREAS, the poles will be approximately 60-90 feet high with a span length of approximately 300-400 feet; and

WHEREAS, tangent structures will be directly embedded into the ground and angle/dead-end structures will be constructed using 6 to 8-foot diameter concrete pier foundations; and

WHEREAS, approximately nine (9) tangent structures and two (2) angle/dead-end structures will be installed to suspend the wires (conductors) overhead; and

WHEREAS, the proposed 69/115 kV transmission line will be operated at 69 kV in the short term, but will be built capable of operating at 115 kV in the future (likely by mid-2013) to meet the long-term needs of the West Creek Corporate Substation and the area's electric service load; and

WHEREAS, a Right-of-Way width of up to 75 feet will be required for the construction of the transmission line (i.e., 37.5 feet on either side of the centerline of the transmission line route); and

WHEREAS, according to the applicant, tree removal and vegetation clearing will occur within the Right-of-Way along the transmission line route prior to construction, and the clearing will be maintained following construction as necessary to meet operation and safety standards; and

WHEREAS, the need to acquire new Right-of-Way will be minimized by the partial co-location of the proposed 69/115 kV transmission line with the existing 230 kV transmission line corridor in the area; and

WHEREAS, in Section 2.3 of the Zoning Ordinance, essential services are subdivided into two separate classifications for consideration under the Ordinance—Governmentally Owned and Operated or Privately Owned and Operated; and

WHEREAS, the application for an electric transmission line, submitted by Xcel Energy, a privately owned and operated essential services company, falls under the latter description, Privately Owned and Operated, thus requiring a Conditional Use Permit, per Ordinance; and

WHEREAS, it does not appear that the proposed transmission line will be detrimental to or endanger the public health, safety, comfort or general welfare. In fact, the project will provide the necessary transmission source for the City's planned West Creek Substation to serve a portion of the City's current and future electric load; and

WHEREAS, it does not appear that the special use will be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted or substantially diminish and impair property values within the neighborhood; and

WHEREAS, in fact, the applicant has been working directly with the local landowners in order to acquire new Right-of-Way to accommodate the proposed transmission line.

WHEREAS, the applicant has located the proposed transmission line in close proximity (80 feet of separation) to the existing 230 kV transmission line in order to minimize its impact on surrounding properties; and

WHEREAS, the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district; and

WHEREAS, in fact, establishing the proposed tap line will enable the City of Chaska to provide electric service from the City's planned substation; and

WHEREAS, at their May 9, 2012, meeting, the Planning Commission recommended approval of the Conditional Use Permit for the proposed Xcel Energy tap line from County Road 11 to the West Creek Substation, subject to various conditions as found in the minutes of that meeting; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Chaska, Minnesota, does hereby adopt Resolution #12-24, approving the Conditional Use Permit for the proposed Xcel Energy tap line from County Road 11 to the West Creek Substation, subject to the aforementioned stipulations and the following conditions:

1. The CUP for the proposed Xcel Energy tap line shall be substantially consistent with the aforementioned staff report and the following exhibits:
  - a. Conditional Use Permit Application, dated January 2012, prepared by Xcel Energy
  - b. Existing Conditions, dated November 18, 2011, prepared by Xcel Energy
  - c. Proposed Conditions, dated February 2, 2012, prepared by Xcel Energy

- d. Environmental Assessment, Proposed Xcel Energy 115 kV Transmission Tap Line to Serve the City of Chaska's West Creek Substation, Minnesota Public Utilities Commission Docket No. E002/LR-12-73, April 2012
2. Provision of a tree removal and mitigation plan, to be approved by the Planning Director.

Passed and adopted by the City Council of the City of Chaska, Minnesota, this 21<sup>st</sup> day of May, 2012.

  
Mark Windschitl, Mayor

Attest:   
Chaska Deputy Clerk